

COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

October 9, 2007

In the Matter of
Wesley B. Rowe &
Flagg Mountain, LLC

Docket No. 2007-089
DEP File No. UAO-WE-07-6W003
Conway, MA

FINAL DECISION

On September 24, 2007, the parties filed a Joint Status Report requesting that this appeal be dismissed as moot because the petitioners have fully complied with the requirements of the Department's May 11, 2007 Unilateral Administrative Order/Enforcement Order (UAO-WE-07-6W003) ("the UAO").

The parties' Joint Status Report requesting dismissal of this appeal as moot is in essence a Stipulation of Dismissal voluntarily dismissing this appeal. See 310 CMR 1.01(5)(a)15.f.i; 310 CMR 1.01(11)(d)1, and constitutes a waiver to any further administrative review before the Department as well as appeal to court of the UAO. Accordingly, the Department issues this Final Decision incorporating the parties' Joint Status Report, and dismisses this appeal.

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Date: _____

Laurie Burt
Commissioner



SERVICE LIST

In The Matter Of: Wesley B. Rowe, Flagg Mountain

Docket No. 2007-107 File No. UAO-WE-07-6W003
Conway

Representative

Party

Gregor I. McGregor, Esq.
Nathaniel Stevens, Esq.
McGregor & Associates
15 Court Square, Suite 500
Boston, MA 02108

PETITIONER
Wesley B. Rowe, Flagg Mountain.

Timothy Jones, Esq.
MassDEP – Western Region Office
436 Dwight Street
Springfield, MA 01103

DEPARTMENT

CC:

Date: September 28, 2007